

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
302 W. WASHINGTON STREET, SUITE E-306
INDIANAPOLIS, INDIANA 46204-2764

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Office: (317) 232-2701
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IN RE: PETITION OF CHARTER)
FIBERLINK IN – CCVI, LLC FOR A)
CERTIFICATE OF TERRITORIAL)
AUTHORITY TO PROVIDE)
FACILITIES-BASED AND RESOLD)
LOCAL EXCHANGE AND)
INTRASTATE INTEREXCHANGE)
TELECOMMUNICATIONS SERVICES)
WITHIN THE STATE OF INDIANA)

FILED

SEP 20 2004

CAUSE NO. 42696

INDIANA UTILITY
REGULATORY COMMISSION

You are hereby notified that on this date the Indiana Utility Regulatory Commission (“Commission”) caused the following entry to be made:

On September 10, 2004, Charter Fiberlink IN – CCVI, LLC (“Charter” or “Petitioner”) filed a *Motion For Leave to Amend Petition For a Certificate of Territorial Authority* (“Motion”) in this Cause seeking to amend its original *Petition For a Certificate of Territorial Authority* (“Petition”), filed July 26, 2004. Petitioner seeks to amend its Petition by adding information Petitioner believes will make the Petition more fully compliant with the Commission’s rules. Specifically, Petitioner has proposed the addition of certain stylistic changes, inclusion of local counsel information, a more detailed description of the Caller ID authority requested, and the inclusion of additional requests for the Commission to decline jurisdiction.

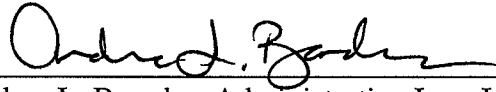
Counsel for the Indiana Office of Utility Consumer Counselor has advised that it does not object to Petitioners’ Motion. This Cause is presently set for evidentiary hearing on October 20, 2004, at 9:30 a.m. in Room E-306 of the Indiana Government Center South, Indianapolis, Indiana.

170 IAC 1-1.1-8 governs the amendment and supplementation, upon oral or written motion, of petitions and complaints before the Commission. Pursuant to 170 IAC 1-1.1-8(b), the Commission shall freely grant leave to amend a petition or complaint upon failure of any other party to the proceeding to demonstrate undue prejudice. In the event that the amended or supplemented petition or complaint seeks relief substantially different than that originally requested, the caption of the petition or complaint shall be revised accordingly. Pursuant to 170 IAC 1-1.1-8(c), any party may amend a pleading once as a matter of course at any time before a responsive pleading is served. However, if the pleading is one to which no responsive pleading is permitted and the cause has not yet been set for an evidentiary hearing, the party may amend it at any time within thirty (30) days after it is served. Otherwise, parties may only amend pleadings by leave of the

presiding officer or by written consent of the adverse party, and leave shall be given when justice so requires. A party shall plead in response to an amended pleading within the time remaining for response to the original pleading or within twenty (20) days after service of the amended pleading, whichever period may be the longer, unless the presiding officer otherwise orders.

The Presiding Officer, having considered Petitioner's Motion, hereby finds that Petitioner's Motion is GRANTED in all respects.

IT IS SO ORDERED.



Andrea L. Brandes, Administrative Law Judge

Date: September 20, 2004